

**COURT OF COMMON PLEAS  
LORAIN COUNTY, OHIO  
COURTHOUSE, P.O BOX 749  
ELYRIA, OHIO 44036**

MICHAEL GRAHAM  
1456 HUNTERS LAKE DR W  
CUYAHOGA FALLS, OH 44221

CASE NO. 06CV146245

VS

TO: BEST BUY COMPANY, INC  
C/O NATIONAL REG AGENTS  
145 BAKER ST  
MARION, OH 43302

\* \* \* SUMMONS ON COMPLAINT \* \* \*

You have been named defendant in a complaint filed in Lorain County Court of Common Pleas by plaintiff(s):

MICHAEL GRAHAM  
1456 HUNTERS LAKE DR W  
CUYAHOGA FALLS, OH 44221

A copy of the complaint is attached hereto. The name and address of the plaintiff's attorney is :

NANCY C SCHUSTER  
2913 CLINTON AVENUE CLEVELAND, OH 44113-2940

You are hereby summoned and required to serve a copy of your answer to the complaint upon the plaintiff's attorney, or upon the plaintiff, if he has no attorney of record, within TWENTY-EIGHT (28) DAYS after service of this summons on you, exclusive of the day you receive it.

Your answer must also be filed with this Court within THREE (3) DAYS after you serve, (delivered or by mail), a copy of your answer on the plaintiff's attorney.

If you fail to appear and defend, judgment by default will be rendered against you for the relief demanded in the complaint.

RON NABAKOWSKI  
CLERK OF THE COURT OF COMMON PLEAS  
LORAIN COUNTY, OHIO

May 18, 2006

BY: \_\_\_\_\_

  
Deputy Clerk

EXHIBIT

A

IN THE COURT OF COMMON PLEAS, <sup>FILED</sup>  
LORAIN COUNTY, OHIO <sup>LORAIN COUNTY</sup>

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MICHAEL GRAHAM  
1456 Hunters Lake Drive, West  
Cuyahoga Falls, Ohio 44221

) Case No.

~~CLERK OF COMMON PLEAS~~  
RON NABAKOWSKI

*Plaintiff.*

) Judge

-vs-

Best Buy Company, Inc.  
c/o National Registered Agents  
145 Baker Street  
Marion, Ohio 43302

) JUDGE EDWARD M. ZALESKI

and

John Does 1-2  
(Names and Addresses Unknown)

COMPLAINT

) (Jury Demand Endorsed Hereon)

*Defendants.*

)

Plaintiff for his complaint against defendants alleges and states as follows:

PARTIES

1. Plaintiff's description of all parties concerns all times relevant to this Complaint.
2. Plaintiff Michael Graham ("Mr. Graham") resides at 1456 Hunters Lake Drive West, Cuyahoga Falls, Ohio 44221.
3. Defendant Best Buy, Inc. is a Minnesota corporation in the business of selling various electronic equipment and appliances and has a principal place of business at 4400 West 78th Street, Bloomington, Minnesota 55425.
4. From approximately June 27, 2004 to April 22, 2005, Mr. Graham was employed by Best Buy as a Team PC Area Manager at its retail store located at 470 East Aurora Road, Macedonia, Ohio 44056 ("Macedonia Store").

COUNT I

(Defamation)

5. Mr. Graham realleges and incorporates all statements and allegations contained in Paragraphs 1 through 4, above.

6. On or about May 9, 2005, Best Buy and John Does 1-2 falsely and maliciously reported to the Elyria Police Department that Mr. Graham stole \$667.00 from a Best Buy retail store located at 6650 Midway Mall Blvd., Elyria, Ohio ("Elyria Store").

7. Upon information and belief, on or about that same day, Best Buy and Defendant John Does 1-2 also falsely and maliciously told employees at the Elyria and Macedonia Stores that Mr. Graham committed theft at the Elyria Store.

8. Best Buy and John Does 1-2 publicized these false statements against Mr. Graham with actual malice and with the intent to damage his personal and professional reputation.

9. As a direct and proximate result of this defamation, Mr. Graham has suffered impairment of personal and professional reputation, personal humiliation, shame, and mental anguish and suffering.

COUNT II

(Punitive Damages -- O.R.C. 2315.21)

10. Mr. Graham realleges and incorporates all statements and allegations contained in Paragraphs 1 through 9, above.

11. The actions by Best Buy and John Does 1-2 were reckless and malicious as these terms are defined in O.R.C. 2315.21.

12. Best Buy and John Does 1-2 in their actions acted with deliberate and conscious disregard of Mr. Graham's welfare.

13. Best Buy and John Does 1-2 in their actions were aware that its actions would directly lead to substantial harm to Mr. Graham and took its actions in order to cause harm to Mr. Graham.

WHEREFORE, Mr. Graham requests that this Court award him damages in an amount in excess of \$25,000.00, including all statutory damages, punitive damages, attorneys' fees, pre- and post judgment interest, costs, and any other relief, in law or equity, as the Court deems just.

Respectfully submitted,



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NANCY C. SCHUSTER #0020690  
KAMI D. ROWLES #0071030  
Schuster & Simmons Co. L.P.A.  
2913 Clinton Avenue  
Cleveland, Ohio 44113  
(216) 348-1100 (Telephone)  
(216) 348-0013 (Facsimile)  
ss@apk.net (e-mail)

*Counsel for Plaintiff*

**JURY DEMAND**

A trial by jury is hereby demanded in this action.



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NANCY C. SCHUSTER #0020690  
KAMI D. ROWLES #0071030

*Counsel for Plaintiff*